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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP 1502

ATTORNEY DOCKET NO. 94247; 58898/130

In re patent application of

David J. BOVA

U.S. Serial No. 08/368,378

Group Art Unit: 1502

Filed: January 14, 1995

Examiner: J. Venkat

For: NICOTINIC ACID COMPOSITIONS FOR TREATING HYPERLIPIDEMIA AND
RELATED METHODS THEREOF

SUPPLEMENTAL AMENDMENT AND RESPONSE UNDER 37 CFR §1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the office action, dated June 10, 1996, and as a supplement to the response filed on August 5, 1996, applicant requests that the PTO amend the application and reconsider the claims in view of the following remarks. Applicant believes that no fees are due for consideration of this Amendment and Response. Nevertheless, the Commissioner is hereby authorized to charge any deficiency to Deposit Account No. 19-0741.

In the Claims:

Please amend the claims as follows:

1. (Thrice amended) A method of treating hyperlipidemia in a hyperlipidemic comprising dosing the hyperlipidemic with an effective antihyperlipidemic amount of nicotinic acid only once per day and only in the evening or at night, wherein said nicotinic acid is combined with at least one pharmaceutically acceptable carrier to form an oral solid dosage form.